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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/756,386 01/08/01 PETITE

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TM02/0927

EXAMINER

BARNIE, R

ART UNIT

PAPER NUMBER

2643

DATE MAILED:

09/27/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 09/756,386	Applicant(s) THOMAS PETITE
Examiner Rexford Barnie	Art Unit 2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on Jan 8, 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 33-73 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 33-73 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) Notice of References Cited (PTO-892) 18) Interview Summary (PTO-413) Paper No(s). _____
- 16) Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) Notice of Informal Patent Application (PTO-152)
- 17) Information Disclosure Statement(s) (PTO-1449) Paper No(s). 3 20) Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 33, 46, 55, 72 and 73 are rejected under 35 U.S.C. 102(b) as being anticipated by karimullah (US Pat# 5,343,493, cited by applicant).

Regarding claims 33, 46, 55, 72 and 73, Karimullah teaches a personal assistance system and method for use with a cellular communication system comprising of a transmitter (20), a transceiver (80) connected to a cell site (30) and to a PSTN (70) wherein a user/subscriber can transmit a service request to a monitoring station (AAA, ADT, 911 and so forth, see fig. 1). Karimullah teaches sending a remote signal to request a service wherein the location of the transmitter can be determined and a codeword can be used to send instruction indicative of a requested service (see columns 7-8).

3. Claims 33, 46, 55 and 72-73 are rejected under 35 U.S.C. 102(b) as being anticipated by Lebowitz (US Pat# 4,825,457, cited by applicant).

Regarding claims 33, 46, 55, 72 and 73, Lebowitz teaches a cellular network data transmission system comprising of sensing a condition from a burglar alarm, fire detector and so forth wherein a remote signal can be sent to a central monitoring station for further analysis (see

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entire disclosure). Lebowitz teaches in (column 4 and so forth) determining the location of the origination of an alarm wherein a service request instruction is received. Note that the monitoring system can be used in conjunction with a plurality of devices (see column 2 lines 48-52).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 34-45, 47-54 and 56-71 rejected under 35 U.S.C. 103(a) as being unpatentable over Lebowitz in view of Burnett (US Pat# 6,067,030, cited by applicant).

Regarding claims 34-45, 47-54 and 56-71, Lebowitz fails to teach the claimed subject matter but Burnett teaches monitoring of a system wherein an alarm signal can be sent via the internet, PSTN, wireless transmission and so forth (see column 3 lines 63-67) and the address associated with the origination point can be displayed on a graphical interface (see column 7 lines 16-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Burnett into that of Lebowitz thus making it possible to transmit an alarm signal via the internet to include pertinent information about the originating address.

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Conclusion

5. Any inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p:m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to (703) 872-9314 and labeled accordingly (Please label "**PROPOSED/INFORMAL**" or "**FORMAL**").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 306-0377.

Rexford Barnie
Rexford Barnie
Patent Examiner
RB 09/28/01.